



FOLGER LEVIN LLP
Attorneys at Law

199 Fremont Street, 20th Floor
San Francisco, California 94105

PHONE 415.625.1050
WEBSITE folgerlevin.com

May 12, 2021

VIA ECF

Honorable Andrew E. Krause
United States Magistrate Judge
The Hon. Charles L. Brieant, Jr. Federal Building
and United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Lowell, et al. v. Lyft, Inc., No. 7:17-cv-06251-PMH-AEK (S.D.N.Y.)

Dear Magistrate Judge Krause,

We represent Defendant in the above-referenced action. We have conferred with opposing counsel and write to request a further amendment to the scheduling order dated February 2, 2021 and a six-week adjournment of the status conference currently scheduled for May 14, 2021.

The parties request a continuance of approximately three months of the discovery and motion deadlines set forth in the current scheduling order. The reason for the continuance is that since the issuance of the Fourth Amended Civil Case Discovery Plan and Scheduling Order [Dkt. 102], Judge William Alsup in the Northern District of California has set June 1, 2021 as the trial date in *Independent Living Resource Center San Francisco et al. v. Lyft, Inc.*, case no. 3:19-cv-01438-WHA (N.D. Cal.) (the "ILRC litigation"). The subject matter of the ILRC litigation overlaps in large part with the present matter: specifically, the issue to be tried is whether the Americans with Disabilities Act requires Lyft to provide wheelchair accessible vehicles on its platform in three Northern California counties. Folger Levin is lead counsel in the ILRC litigation as it is here, and some of the witnesses whose depositions may be sought by Plaintiffs in this case are set to testify at trial in June. This has created significant scheduling challenges. Counsel for all parties have met and conferred, and agree that a continuance is appropriate.

With regard to the status conference currently set for May 14, the parties are still conferring regarding certain discovery issues. For the reasons set forth above, and to give the parties additional time to explore a resolution of the outstanding issues, we request a continuance to the week of June 28.

Attached hereto is a Proposed Fifth Amended Civil Case Discovery Plan and Scheduling Order for your consideration, setting forth the dates to which the parties have agreed.

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We appreciate the Court's consideration of this motion.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'JCL', with a stylized, cursive flourish extending to the right.

Jiyun Cameron Lee

Attachments

cc: All Counsel (via ECF)

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